



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)  
Act 2014**

**Chamber Ref: FTS/HPC/CV/18/0878**

**Re: Property at 12 Gunn Road, Grangemouth, FK3 8RN (“the Property”)**

**Parties:**

**KJB Housing Limited, 28 Castle Road, Bathgate, EH28 2UB (“the Applicant”)**

**Mrs Mary Ann Shields, 12 Gunn Road, Grangemouth, FK3 8RN (“the  
Respondent”)**

**Tribunal Members:**

**Joan Devine (Legal Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that an order for payment should be made.**

**Background**

The Applicant sought an order for payment of £2,525.76 in respect of arrears of rent. The Applicant had lodged with the Tribunal Form F. The documents produced were a Tenancy Agreement dated 15 February 2017 and a statement of outstanding rent. A copy title sheet was lodged with the Tribunal which showed that Janice Leary was the proprietor of the Property. A mandate was lodged with the Tribunal signed by Janice Leary in which she stated that KGB Housing Limited were authorised to act on her behalf in all issues related to the letting of the Property.

**Case Management Discussion**

A case management discussion took place before the Tribunal at 10 am on 2 August 2018 at STEP Stirling, Stirling Enterprise Park, John Player Building Stirling FK7 7RP. The Applicant was represented by Steven Rollo and Jacqueline Duggan both

of Let Link, agents for the Applicant. The Respondent appeared on her own behalf. Jacqueline Duggan explained that the arrears of rent had accumulated over the period between 15 March 2017 and 15 March 2018. There had been various payments to account made. The Respondent accepted that the sum claimed was due. She explained that she had recently lost her job and was in the process of applying for benefits.

### **Findings in Fact**

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent had entered into a Tenancy Agreement for the Property dated 15 February 2017.
2. The period of the Lease was from 15 February 2017 to 16 August 2017 and thereafter on a month to month basis.
3. The rent in terms of the Tenancy Agreement was £495 per month.
4. The Applicant is authorised to act on behalf of the proprietor of the Property in respect of all matters relating to the letting of the Property.
5. The Respondent had failed to make payment of rent that fell due between 15 March 2017 and 15 March 2018. The balance outstanding was £2,525.76.
6. Notice of the date of the hearing had been given to the Respondent by Sheriff Officer on 4 July 2018.

### **Reasons for the Decision**

The Tribunal determined to make an Order for payment of £2,525.76. Rent was lawfully due in terms of clause 6 of the Tenancy Agreement at the rate of £495 per month. Although payments to account had been made, an outstanding balance of £2,525.76 had accumulated over the period 15 March 2017 to 15 March 2018.

### **Decision**

For the foregoing reasons, the Tribunal determined to make an Order for payment.

### **Right of Appeal**

**In terms of Section 46 of the Tribunal (Scotland) Act 2014, a party aggrieved by the decision of the Tribunal may appeal to the Upper Tribunal for Scotland on a point of law only. Before an appeal can be made to the Upper Tribunal, the party must first seek permission to appeal from the First-tier Tribunal. That**

party must seek permission to appeal within 30 days of the date the decision was sent to them.

Since an appeal is only able to be made on a point of law, a party who intends to appeal the tribunal's decision may wish to request a Statement of Reasons for the decision to enable them to identify the point of law on which they wish to appeal. A party may make a request of the First-tier Tribunal for Scotland (Housing and Property Chamber) to provide written reasons for their decision within 14 days of the date of issue of this decision.

Where a Statement of Reasons is provided by the tribunal after such a request, the 30 day period for receipt of an application for permission to appeal begins on the date the Statement of Reasons is sent to them.

JOAN DEVINE

Joan Devine  
Legal Member/Chair

2 August 2018  
Date